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# Report of the Secretary-General on the restoration of and respect for constitutional order in Guinea-Bissau

## I. Introduction

1. The present report is submitted pursuant to Security Council resolutions 2048 (2012) and 2103 (2013), and covers major political, security, human rights, humanitarian and socioeconomic developments in Guinea-Bissau since my reports of 12 May 2014 (S/2014/332 and S/2014/333).

## II. Restoration of and respect for constitutional order

### A. Political situation

#### 1. Overview of the political situation in the country

2. During the reporting period, the key political developments in Guinea-Bissau included the successful completion of the second round of presidential elections, the opening of the first session of the elected Parliament, the swearing-in of the new President of the Republic and the appointment of the new Prime Minister and his Cabinet.

3. On 18 May, the second round of the presidential election was conducted in a peaceful manner. There were no reports of major technical or logistical shortcomings. The alleged beating of 14 members of the African Party for the Independence of Guinea and Cape Verde (PAIGC) by unidentified individuals, on the night before the election in the central city of Bafatá, and the alleged threats against the party's Third Vice-President, Mr. Baciro Djá, on the eve of the polling, did not discourage the people of Guinea-Bissau from casting their votes. With the participation of 78.2 per cent of eligible voters, the people demonstrated their commitment to democratic values and to the restoration of constitutional order in their country.

4. On 20 May, the President of the National Electoral Commission, Judge Augusto Mendes, announced that José Mário Vaz of PAIGC had obtained 61.9 per cent of the vote in the run-off election, while Nuno Gomes Nabiam, the independent candidate, had received 38.1 per cent. Although Nuno Gomes Nabiam initially rejected the provisional results, he eventually declared during a press conference on



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22 May that he would accept them for the "sake of peace, stability and higher interests of the country". He also asked his supporters to respect his decision.

5. In their preliminary statements issued on 19 and 20 May, the international election observer missions of the African Union, the Community of Portuguese-speaking Countries (CPLP), the Economic Community of West African States (ECOWAS), the European Union, the International Organization of la Francophonie and the West African Economic and Monetary Union (UEMOA) assessed that the election had been free, fair, transparent and credible. In its recommendations, ECOWAS urged development partners to expedite the lifting of sanctions imposed on the country and to join it in extending financial and technical support to the country for post-election reconstruction and development.

6. On 21 May, PAIGC and the Social Renewal Party (PRS) issued a joint communiqué confirming their intention to (i) reinforce their relations; (ii) work towards reaching consensus on a national reconciliation programme; (iii) abide by the principle of "forgiveness in favour of reconciliation" and advocate for the competent State institutions to grant amnesty to those behind the coup of 2012; (iv) promote respect for, and the "dignified" treatment of, the defence and security forces, especially within the framework of security sector reform; and (v) provide guarantees that the people of Guinea-Bissau will not be persecuted or threatened.

7. On 23 May, the final results of the presidential election were published in the Official Gazette, confirming the provisional figures announced by the National Electoral Commission on 20 May. This officially concluded the 2014 electoral process.

8. Some 102 newly elected parliamentarians were sworn in on 17 June in the presence of the Transitional Prime Minister, the President of the Supreme Court, the President of the National Electoral Commission, representatives of political parties and civil society organizations, religious leaders, members of the diplomatic corps, my Special Representative for Guinea-Bissau and Head of the United Nations Integrated Peacebuilding Office in Guinea-Bissau (UNIOGBIS), José Ramos-Horta, and the Secretary of State for Foreign Affairs of Portugal, Luís Campos Ferreira. The ceremony marked the opening of the ninth legislature for the period from 2014 to 2018. The new parliamentarians elected Cipriano Cassamá of PAIGC as President of the National Assembly. They also elected Inácio Gomes Correia of PAIGC as First Vice-President; Alberto Nambeia, the President of PRS, as Second Vice-President; Serifo Djala of PRS as First Secretary; and Dam Yala Nanka Barançao of PAIGC as Second Secretary.

9. In his inaugural speech as President of the National Assembly, Mr. Cassamá appealed to the international community to deliver on its pledges to support Guinea-Bissau. He praised the role played by ECOWAS in supporting his country, including through the deployment of a stabilization force, the ECOWAS Mission in Guinea-Bissau (ECOMIB), and expressed appreciation for the financial support provided by Timor-Leste. He called for the creation of an ethics committee within the National Assembly, to make Parliament more accountable to the citizens, adding that the National Assembly needed to take on its responsibilities for the equitable exploitation of natural resources and the protection of the environment. Finally, he called for national unity and proposed the reactivation of the Reconciliation Commission of the National Assembly.

10. From 27 May to 19 June, prior to his swearing-in ceremony, President-elect José Mário Vaz visited Burkina Faso, Côte d'Ivoire, the Gambia, Guinea, Nigeria, Portugal, Senegal and Togo, where he met with the respective Heads of State. He also met with the Prime Minister of Timor-Leste, Xanana Gusmão, in Bissau on 7 June. On 23 June, he was sworn in at the National Stadium in Bissau, in the presence of 11 Heads of State from the West Africa subregion.

11. In his inaugural address, President Vaz thanked the countries of the subregion and international organizations for their support to Guinea-Bissau during the transition. He underlined his commitment to respect the country's Constitution and laws, eradicate poverty, put an end to instability and fight corruption. In addition, he pledged to ensure the sustainable use of natural resources and promote reforms in the public administration, justice, defence and security sectors through a strategic partnership with the new Government.

12. Following talks with all political parties represented in Parliament, President Vaz appointed Domingos Simões Pereira, the President of PAIGC, as the new Prime Minister on 25 June. Upon his appointment, Mr. Simões Pereira told the media that the political environment in the country had significantly improved although there were challenges that could be tackled only with the support of the international community and increased accountability within the new administration. He reaffirmed that, irrespective of the PAIGC majority in the National Assembly, he would continue to reach out to PRS and other parties. He also expressed his commitment to "walk the path of dialogue towards national reconciliation" and to consider mechanisms that would enable the nation to move forward in unity. On 28 June, he led a march of thousands of people, mostly youth, calling for "genuine national reconciliation".

13. On 3 July, Mr. Simões Pereira was sworn in as Prime Minister at the Presidential Palace. In his speech, the new Prime Minister recalled that the country needed "order, discipline and work", and announced that he would promote inclusiveness and work to achieve consensus on major national issues. He highlighted a number of priority areas, including good governance, transparency, protection of the environment and the rational use of natural resources, as well as the promotion of socioeconomic development and of good relations with neighbouring countries, subregional organizations, financial institutions, and the international community as a whole.

14. On 4 July, on the basis of recommendations received from the Prime Minister, President Vaz issued a decree appointing a 31-member Cabinet, including 16 Ministers, 5 of whom are women, and 15 Secretaries of State including one woman. The new Cabinet has 19 members from PAIGC, six from PRS, and one each from the United Social Democratic Party, the Democratic Convergence Party and the Union for Change Party. Two Ministers and one Secretary of State have no declared party affiliation.

15. On 10 July, the Prime Minister chaired the first meeting of the new Council of Ministers. During the meeting, he emphasized his commitment to respect the rule of law, uphold the public interest, and promote inclusive dialogue to ensure broad-based consensus on key national issues. The meeting concluded with decisions to pay two months of salary to civil servants, to temporarily suspend timber exports in order to prioritize the shipment of cashew nuts, and to extend the public school year until August.

### 2. Overview of the human rights situation in the country

16. During the reporting period, no significant progress was made towards human rights protection and greater accountability for previous human rights violations in the country.

17. On 17 May, on the eve of the second round of presidential elections, 14 members of PAIGC, including the President of the Bafatá Regional Political Bureau, the party's campaign director and three of its newly-elected parliamentarians, were allegedly attacked by unidentified individuals at different locations close to the city of Bafatá. The victims, four of whom were women, were travelling in three separate groups to deploy election monitors and materials to different regional polling stations. The majority of the victims received medical treatment in Bafatá and Bissau. PAIGC issued a communiqué on 18 May condemning the violence and asking the people of Guinea-Bissau not to be intimidated. The case was reported to the regional authorities, the joint command in charge of election security and to ECOMIB. No suspects have been identified or charged.

18. On 9 June, the Prosecutor General, Abdu Mané, tendered his resignation to the Transitional President, Manuel Serifo Nhamadjo, citing an "inability" to work with the President-elect. Mr. Mané had petitioned the Supreme Court, on 6 March 2014, to disqualify Mr. Vaz as the PAIGC presidential candidate, on the grounds that a criminal investigation had been conducted into corrupt activities allegedly committed by Mr. Vaz in February 2013. The Supreme Court had subsequently concluded that Mr. Vaz was entitled to full political rights, stating there were no legal impediments to his running in the elections.

### 3. Regional and international efforts towards the restoration of and respect for constitutional order

19. At a meeting of the Guinea-Bissau configuration of the Peacebuilding Commission on 12 May, my Special Representative for Guinea-Bissau and Head of UNIOGBIS briefed members of the configuration on the situation in Guinea-Bissau. He underlined the need for the newly elected Government to adopt a new approach to address the root causes of instability. He also emphasized the important role of the international community in the mobilization of financial and technical resources for the country.

20. On 14 May, the configuration issued a statement to the press welcoming the successful conduct of the legislative elections and the first round of the presidential election, which were held on 13 April, and commending the people of Guinea-Bissau for a high turnout and for the peaceful manner in which they had exercised their democratic rights. In another press statement issued on 12 June, the configuration reiterated its view that the holding of the elections was a fundamental step towards the restoration of constitutional order and for the resumption of full cooperation with the international community. The configuration also reiterated its willingness to work with the elected authorities in the review of the peacebuilding strategic priorities for Guinea-Bissau and to help in addressing the urgent needs of the country. It also reiterated its call to all political and military stakeholders to continue to heed the voice of the people of Guinea-Bissau and to work in a spirit of dialogue to uphold civilian rule.

21. In a communiqué issued following the extraordinary session of the ECOWAS Authority of Heads of State and Government held on 30 May in Accra, the ECOWAS leaders encouraged the new Government to adopt an "all-inclusive governance system" to forge national consensus and enable the mobilization of national stakeholders to implement "urgent" post-election programmes. The ECOWAS leaders also urged the new authorities of Guinea-Bissau to adopt and implement a comprehensive reform agenda, with the assistance of ECOWAS and the international community, encompassing national dialogue and reconciliation, economic recovery, reform of State institutions, and processes to sustain the stabilization and recovery efforts.

22. From 6 to 10 June, the Prime Minister of Timor-Leste, Xanana Gusmão, visited Guinea-Bissau, where he met with the President-elect and the Prime Minister-elect. He also held consultations with the Transitional President, the President of the National Assembly, the Transitional Prime Minister, and the Chief of General Staff of the Armed Forces, as well as representatives of police and security forces, political parties, civil society organizations and ECOWAS. Prime Minister Gusmão extended an invitation to the President-elect and the Prime Minister-elect to participate in the tenth Conference of Heads of State and Government of CPLP, which was held in Dili on 23 July.

23. On 17 June, the African Union lifted the suspension of Guinea-Bissau from the activities of the Organization, paving the way for the country to participate in the 23rd ordinary session of the Assembly of Heads of State and Government of the African Union, which was held in Malabo from 20 to 27 June. In its decision following the summit in Malabo, the African Union appealed to the international community to enhance its support to Guinea-Bissau, while urging bilateral and multilateral partners to seize the opportunity of a donors round table late in 2014 to provide the country with the necessary financial and economic support. Similarly, in a press communiqué issued on 27 June, the International Organization of la Francophonie announced its decision to reintegrate Guinea-Bissau into its activities and statutory bodies.

24. On 14 July, the Council of the European Union issued a statement announcing the suspension of measures limiting the European Union's cooperation with Guinea-Bissau following the holding of "free and credible" elections. The announcement was made after the visit of a European Union technical mission to Guinea-Bissau from 7 to 11 July. On the same day, the European Union High Representative for Foreign Affairs and Security Policy, Catherine Ashton, expressed satisfaction with the decision on the grounds that it enabled the European Union "to support the newly elected authorities towards the reconstruction and stabilization of the State". On 23 July, at its tenth Conference of Heads of State and Government held in Dili, CPLP readmitted Guinea-Bissau into the organization.

25. On 10 July, President Vaz, along with the new Ministers for Foreign Affairs and Defence, attended the 45th ordinary session of the ECOWAS Authority of Heads of State and Government in Accra. ECOWAS leaders encouraged the new Government to adopt and implement a comprehensive reform agenda, which should encompass national dialogue and reconciliation, economic recovery, and the reform of the governance and political institutions to sustain the country's stabilization and recovery efforts. They pledged assistance for resource mobilization efforts, including through the holding of a donors conference. They also decided to create a

special emergency support fund for Guinea-Bissau, and appealed to ECOWAS member States and development partners to contribute to the fund. Moreover, the leaders agreed to ensure the effectiveness and sustainability of the defence and security sector reform programme by enhancing the human, financial and logistical capacities of the Office of the ECOWAS Special Representative in Guinea-Bissau. Finally, they instructed the ECOWAS Commission to review the mandate of ECOMIB by 31 December 2014, in close consultation with the Government of Guinea-Bissau and other international partners.

#### 4. Efforts towards a democratic electoral process

26. During the period under review, the United Nations Development Programme (UNDP) led the international community's technical support for the elections. It assisted the National Electoral Commission and its regional structures in carrying out information, sensitization and civic education programmes, as well as in conducting the operational and logistical preparations for the polling process, including the procurement of election materials. Both logistical and technical conditions were in place by the polling day.

27. Multilateral and bilateral partners, including the African Union, CPLP, ECOWAS, the European Union, the International Organization of la Francophonie, UMEOA, Timor-Leste, the United States of America and the United Kingdom of Great Britain and Northern Ireland, deployed over 270 election observers to monitor the second round of the presidential election.

28. Notwithstanding the lack of provision for domestic election observers, three main groups of civil society organizations monitored different aspects of the electoral process. The groups were Acção Cidadã ("Citizens Action"), which focused on monitoring the election campaigns and the polling process; the Peace and Security Network for Women in the ECOWAS region, which focused on monitoring women's participation in the electoral process; and the Civil Society Committee Monitoring the Electoral Code of Conduct, which focused on the compliance of candidates with the code that was signed by presidential candidates and political parties on 20 March. The groups also informally deployed their members to polling stations during the run-off election to observe the conduct of the elections.

## B. Security situation

29. During the reporting period, the security situation remained relatively stable. ECOMIB troops reached a total strength of 850 personnel, following the deployment of an armoured formed police unit from Burkina Faso to Guinea-Bissau on 10 May.

30. UNIOGBIS co-located one police officer and one military adviser with the joint command of the Ministers of the Interior and Defence of the Transitional Government, which was established to monitor the implementation of the national electoral security plan for 2014. The security protection of the former National Electoral Commission building, which was used as a warehouse for electoral material, was withdrawn only on 28 May following a decision of the joint command. The joint command provided close protection to the President of the Electoral Commission, the elected President and Prime Minister, as well as the

transitional authorities and government institutions until its official dissolution on 5 July.

31. On 2 June, the Secretary-General of INTERPOL, Ronald Noble, visited Bissau along with my Special Representative for West Africa and Head of the United Nations Office for West Africa, Said Djinnit, within the framework of the West Africa Coast Initiative. They held meetings with the Minister of Justice of the Transitional Government, the National Central Bureau of INTERPOL, the Transnational Crime Unit, the joint command, and the High Council for Policing and Internal Security Coordination. At a press conference in Bissau following the visit, Mr. Noble praised Guinea-Bissau's law enforcement agencies for their dedication and highlighted the important role they had played in creating an environment conducive to a peaceful electoral process in the country. He also underlined the importance for Guinea-Bissau and other countries in the subregion to work with the international community to fight drug trafficking and transnational organized crime.

32. In a letter dated 6 July, the European Union delegation in Guinea-Bissau informed the new Minister for Foreign Affairs and Cooperation that General Melciades Fernandes, a former Chief of Staff of the Guinea-Bissau Air Force, had voluntarily left the European Union premises in Bissau that day. General Fernandes had sought refuge at the European Union premises for 21 months following the coup d'état of 2012. Speaking to the Portuguese news agency LUSA and the Portuguese News Network (PNN) shortly after leaving the premises on 6 July, the General expressed his gratitude to the European Union representatives for their support and assistance. In an interview with PNN on the same day, the new Secretary of State for Public Order expressed the view that the departure of General Fernandes from the European Union premises was "the result of the return to constitutional order in the country".

## III. Socioeconomic and humanitarian situation

33. The socioeconomic and humanitarian situation in the country remained fragile during the period under review. The weak capacities of the Government for fiscal revenue collection, in conjunction with the extended suspension of budgetary support by Guinea-Bissau's development partners, significantly affected the State's ability to meet its basic obligations, including the delivery of social services.

34. The second quarter of 2014 was marked by trade union protests and strikes due, inter alia, to the non-payment of salaries. The strikes virtually paralysed public administration and had an extremely detrimental impact on the education and health sectors. The cumulative effect of strikes in the education sector caused the overall loss of 28 per cent of school days in the 2013/14 academic year.

35. As at 11 June, Guinea-Bissau had exported only 10,000 tons of cashew nuts of the 70,000 tons stored in warehouses. While the pace of export was markedly slow compared to the same period in 2013, available data showed that the harvest and sale of cashew nuts in 2014 has been relatively good. The average price per kg paid to producers varied from CFAF 330 to CFAF 335 compared to the base price of CFAF 250 set by the Transitional Government.

36. No cases of the Ebola virus were reported in Guinea-Bissau since the outbreak in neighbouring Guinea. UNICEF, the World Health Organization and other partners continued to provide support for strengthening epidemiological surveillance. With the support of those parties, an emergency "hotline" was activated at the Ministry of Health. Moreover, weekly joint field missions were conducted to the most vulnerable regions of the country to maintain the alert while the surveillance, capacity-building and community awareness programmes continued to be implemented.

37. During the reporting period, three cholera deaths were recorded by health centres in the town of Calaque, in the southern region of Tombali. UNICEF and its partners provided the centres with basic medical supplies, technical support and capacity-building training for treating and preventing cholera. Cholera prevention and awareness-raising interventions were conducted in the most vulnerable communities and households in the region.

38. On 30 May, the World Bank approved $22.5 million ($17.2 million in credit loans and $5.3 million in grants) to support the emergency water and electricity services upgrading project for Guinea-Bissau. The aim of the project was to restore and increase the population's access to safe drinking water and to improve the reliability of electricity in Bissau.

39. On 12 June, UNDP commenced the delivery of one million life-saving bednets, as part of a national awareness campaign to help communities to combat malaria. The $5.8 million campaign was financed by the Global Fund to Fight AIDS, Tuberculosis and Malaria, and is expected to further reduce the number of malaria-induced deaths.

## IV. Observations

40. The high voter turnout in the second round of the presidential election, as well as the peaceful and orderly conduct of the poll, demonstrated the determination of the people of Guinea-Bissau to restore constitutional order to their country. I commend all the people of Guinea-Bissau for their remarkable sense of civic duty throughout the electoral process and for their commitment to ending the transition through peaceful and democratic means.

41. I would like to reiterate my appreciation to the international partners of Guinea-Bissau, including the African Union, CPLP, ECOWAS and the European Union, as well as to Member States, for their financial, technical and security assistance, and continued engagement and dedication to ensuring a coordinated and appropriate international response to the crisis in the country.

42. The swearing-in of the President and new parliamentarians of the Republic, as well as the appointment of the new Prime Minister and his Cabinet, all of whom are now in office, have marked the return to constitutional order in Guinea-Bissau. Continued support to and respect for the preservation of constitutional order will be critical to enable the country to enjoy sustainable political stability and lasting peace.

43. I call on the newly elected authorities to foster respect for constitutional order and for the rule of law by promoting and practising accountable governance, fighting corruption and illegal trafficking, establishing harmonious civil-military

relations, and ensuring the respect of human rights for all. This is an opportunity for the country to write a new page of its history, in which coups d'état have no place.

44. I am encouraged by the new administration's commitment to fostering inclusive dialogue and promoting national reconciliation. I encourage all political stakeholders to take this path as the country focuses on setting and implementing its key national priorities. I note the pledges made by President Vaz and Prime Minister Simões Pereira to strive for national reconciliation through dialogue and explore all mechanisms for that purpose. As the authorities of Guinea-Bissau earnestly engage in a national reconciliation dialogue in the coming months, the United Nations remains ready to provide advice, including on international human rights protection standards and the fight against impunity.

45. The new Government has inherited a difficult socioeconomic situation with limited State resources. Nevertheless, it should aim at providing tangible improvements in the lives of the population, including by ensuring uninterrupted salary payments to civil servants, completion of the school year, recovery of agricultural production including in the cashew sector and a regular supply of water and electricity. I appeal to international partners to provide substantial support, in the short term, to assist the new administration in delivering on its obligations and providing social services. Any delays in such immediate support may hamper Guinea-Bissau's effort to consolidate peace.

46. In the medium to long term, it would be essential for Guinea-Bissau's authorities to pursue fiscal sustainability and to attract international investment. A programme with clear goals for the country's stability and development should be the centrepiece of the forthcoming donor pledging conference, which is expected to be organized by the end of 2014, in close collaboration with the United Nations and Guinea-Bissau partners.

47. The presence of natural resources in Guinea-Bissau is not by itself enough to ensure the development of the country. It is equally important that the income generated from the exploitation of those resources be utilized for the benefit of the population rather than for a few individuals. This requires strong political will to put the public common good above personal interest. I welcome the commitment already expressed by the elected authorities to address these matters firmly. I call upon them to work closely with relevant private companies and investors, civil society organizations, Member States and international organizations to make transparency and sustainability in natural resource management a key national priority. I urge international partners and the United Nations to assist the country in implementing best transparency practices in this area, which would help to ensure the rational exploitation of natural resources, their sustainability and the protection of the environment.

48. While the security situation has improved over the past few months, the overall outlook remains fragile. The country will continue to count on the security assistance currently provided by ECOMIB. I take note of the recommendations made by the ECOWAS Heads of State and Government to review the mandate of ECOMIB by 31 December 2014. I also welcome their encouragement to the new Government to adopt and implement a comprehensive reform agenda with the assistance of ECOWAS and other international partners.

49. I will continue to be actively engaged in this process, consistent with paragraph 3 of Security Council resolution 2048 (2012), in order to harmonize the positions of international partners, particularly the African Union, CPLP, ECOWAS and the European Union. I would also aim to ensure maximum coordination and complementarity of international efforts to develop a comprehensive and integrated strategy to implement security sector, political and economic reforms, as well as combating drug-trafficking and fighting impunity.

50. In the light of the successful return to constitutional order in Guinea-Bissau, which was the main target set by the Security Council in resolution 2048 (2012), I recommend, for the Council's consideration (as indicated in my letter dated 13 August 2014) that this report on the restoration of constitutional order in the country be the last one. Any future updates on the remaining aspects of the resolution, including paragraph 3, as well as broader issues relevant to the consolidation of constitutional order, would be provided every six months in my regular reports on UNIOGBIS, while oral briefings to the Security Council will continue to be provided, as and when required.

51. In conclusion, I wish to express my appreciation to the staff of UNIOGBIS and the United Nations country team, under the leadership of my former Special Representative, José Ramos-Horta, for their commitment and hard work. I am grateful to my former Special Representative for his leadership and passionate dedication to Guinea-Bissau, both of which were important enabling factors in the progress achieved to date. I also express my appreciation to the regional and international partners of Guinea-Bissau for their contributions to efforts to restore constitutional order and promote peace in the country.